OTES FROM HONOLULU

A. Cunningham and Bride Start Home.

LL TARRY ON THE COAST

erriage Licenses Are Now Unauthorized.

ernor Taft and the Grand Vizier of Persia Entertained by Honolulu.

du. Jan. 17.-Col. J. A. Cun-During their stay in Honolulu have been guests at the Alexander

visit to the volcano Klianes, or sland of Hawaii, was made, during and cattle ranches. He feli into

\$25,000 for the property, but th rolling interests held out for \$35, later reducing the offer to \$30,000 Cunningham cabled to Salt Lake in the Bank of Hawaii, which done on Saturday morning. The sellers wished \$15,000 as a cash de and not having time to comply this last and rather unusual Col Cunningham was compelled

nguish the sale in the politics and commercial of the islands, and returns satisfied with his trip.

NO ONE COULD MARRY

e county act, which went into ef-on January 4th, giving Hawaii a government, was not satisfact to test its validity. In the in-of waiting for the Supreme cour which knocked out the county Indicrous county act would hold wamake appropriations for other ounty officers. The result was there was something of a standand Dan Cupid found himself sud-without a business or trade.

act took away the privi orial regime to certain persons in to grant marriage H or and his deputies. practically suspending the counto forego that blissful state. young man, who was the ploneer Mng refused a license, went to one sual license people and was re-The official said that the county had cut off that privilege. The lag man then went to the tax asses-and so on, being refused all along fine. Clergymen could not marry one without a license, and there a standstill in the marriage mar-In fact, the issue seemed a solu-to the oft-argued question of racial The case of one young man, a Your correspondent told of the ong man's troubles in the Advertiser follows:

irst he went to the usual persons who d been in the babit of issuing the li-les, and each one said:

hes, and each one said:
Nay nay
hen the Tax Collectors office was
keed, and, in response a his request
the document, the officials said:
Nay nay! We can give you one, but
will be no good to you or your intended
dis, Wait until the Supreme count detes whether we shall have a county
remment or not if it does, come to
and we will issue you a license."
The office of the Treasurer was bought,
assurer Kepokkai answered
Nay, nay! I have no legal right now
give you a license. Go to the Superore."

Bright went the rounds of the official mily, both Territorial and county, and cived the same answer.

But I've issued invitations to all my married."

At the end of the day he concluded that marriage was all off—at least for the same—and resigned himself to his fate. Lucky I didn't go ahead and get tred on that inau. It wouldn't have me a thing to my pocket. Well, I sunsee our marriage will have to be poetived indefinitely."

I was suggested to young Bright that might charter a tug and go out bead the three-mile limit of the Islands in the married by the master of the tug, a luau could be given an shore later. Andrews gave an opinion that the mer persons designated to issue It-mer and the three-mile them the case. Bright ill probably reconsider his decision to to fif his wedding and hold it tomorrow miles, as planned.

PAFT AND THE GRAND VIZIER.

yesterday and today is ertaining Gov. now Secretary of Taft and Mrs. Taft and the Grand der of Persia and suite. The former a given full military honors upon his lyst. is even full military honors upon his fival, and visited the sugar plan-lons near Honolulu at midday. In afternoon an elaborate reception tendered him in the old throne of the details monarchs in the pres-

apany F. Hawaii's crack company of the National Guard, gave a fine drill in his honor on Palace square. It is possible the company may go to St. Louis this year, if Secretary Taft can arranged.

arrange it.

The Grand Vizier may pass through Salt Lake en route East. He is to study educational methods in the United States. Your correspondent asked him yesterday concerning his route, and gathered that he will go East via San Francisco, Ogden, Salt Lake, Denver, St. Louis, Chicago, Washington and New York.

The Persian party is composed of H. H. Mirza All Asgar Khan, Atabake Azam, Prime Minister of Persia, accompanied by his son, Mirza Ahmad.

companied by his son Mirza Ahmad Khan, and Mehdi Qouli Khan, Vice-Minister of the educational department of Persia, and four servants. They left Teheran, capital of Persia, September 22nd last, the Prime Minister taking a leave of absence for seven

leave of absence for sever

months in order to make a pilgrimage to Mecca, and are simply making the journey to Mecca via China and Japan and the United States. They will make only a short stay in San Francisco, and will then proceed overland to New York, where they will sail for Egypt so as to arrive at Mecca on February 23rd. The Premier, who has made many visits to England, and is an intimate friend of King Edward, and made many visits to England, and is an intimate friend of King Edward, and was on most intimate terms with the late Lord Sallsbury, is very much interested in all the news of the day as regards the Oriental questions, and as this is his first visit to the United States, he anticipates his trip overland with a great deal of learning terms. with a great deal of pleasure and only regrets that his stay in this country cannot be longer. The Premier and his son speak French, but the only one of the party who speaks English is Medl

The Grand Vizier has been to Eurocountries often enough to be-modernized. True he did re-to partake of oysters and ham then served to him at the Young hotel or luncheon. On the train en route to sugar plantation the members f the Persian party were much leased with the cigars given them to moke. The band about the weeds bore life-like illustration of a Perstan in ostume a delicate compliment which Vizier appreciated. The cigars were eft from the Mystle Shriner celebration of a few weeks ago. The Vizier also in-luiged in a little Scotch, but the memers of his retinue declined the heather

MRS. YOUNG BETTER. Mrs. R. W. Young of Salt Lake, who errived recently to visit her sisiter, for

ENFORCING THE LAW

County Attorney Westervelt on Evils and Remedies.

Editor Tribune:-I have read with inerest your record of homicides and your pearing in yesterday's (Sunday's) Tribme. Your remarks are timely, and the ommand the serious attention of all houghtful and conscientious citizens. on have clearly called attention to the vit itself as it exists and have urged its orrection. Further than this I perceive emains, therefore, if possible, first, to ascertain the real cause or causes of this mentable condition of affairs, and, sec-

ond, to find its remedy. First, then, what is the real reason erally and vigorously enforced? To arrive at the true answer to this question let us see what are the instrumentalities afforded by our system of laws for punish-

THE ROUTINE When a crime is committed the first steps consist in the filing of the complaint against the suspected person and his arrest under warrant authorized by

plaint against the suspected person and his arrest under warrant authorized by the County Attorney. A preliminary examination of the defendant before a magistrate, also conducted by the County Attorney, is then held. The duity of collecting the evidence against the defendant for this hearing and also for the trial in the District court devolves in the main upon the police authorities—i. e., the Sheriff's force or the city police, or both, as the case may be. If the evidence produced at the preliminary hearing is such as to justify the magistrate in finding that the crime charged has been committed, and that there is sufficient cause to believe the defendant guilty thereof, he is then bound over to await trial before the District court. If the evidence does not justify such finding he is discharged. During this stage of the proceedings there is little or no opportunity for a miscarriage of justifice, and as a natural consequence one seldom occurs. In the event that the defendant is bound over the transcript of the proceedings is certified up to the District court, and the case there passes out of the hands of the County Attorney and into those of the District Attorney. The later officer then files his information against the defendant and he is arraigned before the court. The defendant may then file a motion to quash the information or raise such other legal objections to the proceedings as he may deem himself justified in interposing, or eight may go to trial upon the merits. If he elects the latter course, or if his objections are everruled by the court, the trial then proceeding in due court. It upon the trial the proceeding in due court. It upon the trial the proceedings to the defendant or peremptorily instruct the jury to find a verdict of not guilty. Otherwise the case goes to the jury, and upon the jury them rests the sole responsibility of deciding the question of the seventers of the s guilty. Otherwise the case goes to the jury, and upon the jury then rests the sole responsibility of deciding the question of the guilt or innocence of the ac-

sole responsibility of deciding the question of the guilt or innocence of the accused. Sometimes the jury convicts, sometimes it acquits.

In case of a conviction, it is then the dury of the court to impose the sentence within the limits prescribed by the statute. The defendant has, of course, the right of appeal to the Supreme court, based upon alleged errors or irregulartics in the trial and proceedings leading up to it. If the defendant does not appeal or if upon appeal the case is affirmed, the sentence of the trial court is put into execution and the defendant is committed to the State prison. After this has been done he law further permits an application for his pardon or a commutation of his sentence to be made to the Board of Pardons, consisting of the Governor, the Judges of the Supreme court and the Attorney-General. Such applications are usually accompanied by one or more petitions addressed to the Board asking for the pardon of the prisoner and signed by a number of more or less prominent citizens. A hearing is then had upon the application, a showing made to the Board by the applicant, after which the Board renders its decision, either granting or refusing the application. The foregoing is a brief but fairly complete zummary of the proceedings provided by the criminal law WHERE THE TROUBLE is

WHERE THE TROUBLE IS. WHERE THE TROUBLE IS

It is not the purpose of this article to comment upon or criticise any part of the provisions of our criminal law. As it stands it is the law of the land, and for the purposes of this discussion it must be assumed that it is adequate and sufficient for its purposes if properly enforced. And in passing it may not be amiss to observe that no matter how perfect any aystem of law may be it is unavailing unless if be fully supported by popular opinion,

by the spirit of the community or Commonwealth in which it is in force. The question to be discussed here is assuming that the law frequently fails of enforcement, where, when and at whose hands does this failure take place? What do the annals of our criminal courts show? Is it in the course of the preliminary proceedings that the majority of the unpunished criminals escape their just deserts? Where such be the case the blame must lie at the door of the County Attorney, or the magistrate, or both. But the records show that such instances are very rare exceptions and far from being the rule. Is it the fact that a majority of the criminals who escape punishment are released before the submission of the case to the jury on the ground of some flaw in the proceedings? If so, it is the fault of the District Attorney, or, in case that the error complained of consists in some irregularities in the proceedings before the magistrate, then that of the County Attorney. But, again, the records show that such instances are extremely rare. Is it at the hands of the jury, then, that most criminals receive their discharge? Again we have recourse to the records of criminal cases for our answer. It would be obviously improper in this connection to cite individual instances, since in the eye of the law a man is innocent once he has been acquitted by a jury of his peers. But as a broad and general proposition it may be truly asserted that the great proportion of all the criminals, not only in the matter of homicide, but in every other form of crime, who have escaped punishment are men who have been acquitted by juries—I will go so far as to say of their peers crime, who have escaped punishment are men who have been acquitted by juries—I will go so far as to say of their peers—but juries. Those who question the truth of this assertion may bunt up the records for themselves. Now, of whom do our juries consist. They are selected from among the taxpayers of the county and may be taken to represent the typical average clizen. The average jury, therefore, may justly be considered to represent as accurately as any selected body of men can, popular opinion and popular sentiment of the community from which they are chosen. They reflect pretty clearly the mental attitude and habit of thought of the community. If it is by grace of the verdict of Juries that most thought of the community. If it is by grace of the verdict of juries that mos grace of the verdict of juries that most oriminals escape punishment, does not the fault lie at the door of the comminity at large? To go further, does not the fault lie primarily at the door of our leading, representative men, who make and lead and mold public santiment? Again, who is it that signs all these petitions by means of which the Board of Pardons is induced to set at liberty men, who have already been duly and regularly convicted by a court of competent jurisdiction? Why who but your leading representative men, the leaders of public thought and sentiment in the community. hought and sentiment in the cor

jurisdiction? Why, who but your leading representative men, the leaders of public thought and sentiment in the community.

WHAT IS THE REMEDY?

Now, what is the remedy for all this? It has been seen that in all criminal prosecutions all that the courts, the prosecuting officers and the police authorities can do is to apprehend the criminal, collect the evidence against him, present it fully and clearly and see that all the forms of law are duly and properly observed and after all, the main responsibility of convicting or acquitting the accused resis with the jury-in other words, with the people of the community themselves. Now, then, bankers merchants, business and professional men and everybody, when you are called on the jury, don't try to shrink your duly as citizens and sneak out of it, but serve. And when you get into the jury box use your heads and be square about it. Weigh the evidence carefully. Be fair and just to the defendant, but don't, if you believe him guilty, so hunting around for a plausible pretext upon which to acquit him. And further, if you are asked by some good fellow to sign a petition for the purdon of some convict, don't sit down and sign, as you have often done heretofore, for really no better reason than simply to show that there is no ill-feeling. Look into the question conscientiously, and if upon investigation, you do not see any good reason for asking for the convictis release, say "No" like a man. Don't be afraid. It probably will not hurt your business very much anyway.

Perhaps I have inadvertently trod on some people's toes in the course of the foregoing remards. If so I am very sorry, but it can't be helped. I have no person or set of persons in mind. We are all of us more or less to blame for the existence of this state of affairs no doubt. What I am alming at in this article is to try and point out the truth, and if it happens to hurt anybody, why that is his or hor misfortune. The system of law more reform our selves instead? As I suggested before, however, no matter how WHAT IS THE REMEDY?

William Henry Hazzard Dead. New York, Jan. 23-William Henry Hazzard, president of the Fulton bank and for half a century one of the lead-ing citizens of Brooklyn, is dead. He was born on a Delaware farm and came here when a lad. He entered the build-ing trades and in later years erected many or the large business structures of Brooklyn. He also was largely instru-mental in developing the street car sys-tem under Mayor Tom Johnson of Cleveland. O.

Bright's Disease and Diabetes News.

Office Wine and Spirit Review. San Francisco, January 17, 1904, To the Editors of Utah

Dear-Sirs:-The business men of this ity who are now proclaiming to the world the discovery of the cure for Bright's Disease and Diabetes have asked me as one of the beneficiaries to write to some of my brother editors. Hence this letter to you. I was at first as skeptical as any one. I had reason to be. I had a clear case of chronic Bright's Disease; was ill for a year. It was not thought I would live thirty days. The President of the Pacific States Type Foundry told my wife that the newly-discovered diuretic would save my life, and against my private convictions I was put on it. In six months my recovery was complete.

A friend of mine, Dr. A. J. Howe, a prominent physician, was nearly dead with Bright's Disease. On my recovery I told him and it acted the same in his case and he is now well on the road to recovery. I told one of the writers on the Call, whose mother had Diabetes She has fully recovered. As a brother editor I personally assure you of the truth of the discovery. Thousands of lives are to be saved, and I am writing in the hope that this letter will start some of them right.

R. M. WOOD, Editor. The above refers to the newly discovered Fulton Compounds, the first cures the world has ever seen for Bright's Disease and Diabetes. We are the sole

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nating one article of diet after another. Everything will soon disagree with you. The only way is to eliminate the cause of the trouble

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'I wish to thank you for the wonderful cure your Rexail Dyspepsia Tablets have wrought. I suffered for over ten years with a troublesome form of dyspepsia until I chanced to obtain a box of Rexail Dyspepsia Tablets. I used them and found immediate and permanent relief, and the only symptoms remaining of my former trouble is a slight headsche occasionally. I have recommended Rexail Dyspepsia to a great many of my friends and will continue to do so, as I believe them to be the best dyspepsia remedy ever sold.—Mrs. Finch, 19 S. Brown St., Dayton, Ohlo."

We guarantee Rexail Dyspepsia Tab. We guarantee Rexall Dyspepsia Tab-

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